

Bill no.:	HR 3893
Amendment no.:	H.L.C. 15
Date offered:	9/28/05
Disposition:	Agreed to by VV

**AMENDMENT TO H.R. 3893**  
**OFFERED BY MR. PICKERING OF MISSISSIPPI AND**  
**MR. ROSS OF ARKANSAS**

At the end of title I of the bill, add the following  
(and make such technical and conforming changes as  
may be necessary):

1 **SEC. \_\_\_\_ . RESPONSE TO BIOMASS DEBRIS EMERGENCY.**

2 (a) USE OF BIOMASS DEBRIS AS FUEL.—Notwith-  
3 standing any other provision of law, the Secretary of En-  
4 ergy may authorize any facility to use as fuel biomass de-  
5 bris if—

6 (1) the debris results from a major disaster de-  
7 clared in accordance with section 401 of the Robert  
8 T. Stafford Disaster Relief and Emergency Assist-  
9 ance Act (42 U.S.C. 5170);

10 (2) the debris is located in the area for which  
11 the major disaster is declared; and

12 (3) the requirements of subsection (b) are met.

13 (b) CERTIFICATION.—A facility described in sub-  
14 section (a)—

15 (1) shall certify to the State in which the facil-  
16 ity is located that no significant impact on meeting  
17 national ambient air quality standards will result



1 and shall propose emission limits adequate to sup-  
2 port such certification; and

3 (2) may begin burning biomass debris fuel upon  
4 filing the certification required by paragraph (1) un-  
5 less the State notifies the facility to the contrary.

6 (c) EMISSION LIMITS.—The State in which a facility  
7 described in subsection (a) is located shall—

8 (1) adopt (or as appropriate amend) the pro-  
9 posed emission limits for the biomass burning at the  
10 facility; and

11 (2) retain other existing emissions limits wher-  
12 ever they are necessary and reasonable.

13 (d) NEW SOURCE REVIEW.—No activities needed to  
14 qualify a facility to burn biomass debris as fuel in accord-  
15 ance with this section shall trigger the requirements of  
16 new source review or new source performance standards  
17 under the Clean Air Act.

